

REPORT OF DIRECTOR OF PLANNING AND TRANSPORT

Sites at Hobart Close and Pitcairn Close, The Meadows

1 SUMMARY

Application No: 13/01718/PFUL3 and 13/01719/PFUL3 for planning permission

Application by: Marsh:Grochowski on behalf of William Davis Limited

Proposals: 33 new dwellings (Hobart Close) and 35 dwellings (Pitcairn Close).

These applications are brought to Committee because they are major applications and are recommended for approval without full S106 obligations requirements being met.

To meet the Council's Performance Targets these applications should be determined by 18th October 2013.

2 RECOMMENDATIONS

GRANT PLANNING PERMISSION for both applications for the reasons set out in this report, subject to the conditions substantially in the form listed in the draft decision notice.

Power to determine the final details of the conditions to be delegated to the Director of Planning and Transport.

3 BACKGROUND

- 3.1 The applications relate to the sites of 80, now demolished, "Cross Wall" flats which were located on Pitcairn Close and Hobart Close, and a row of 25 garages to the west of Pitcairn Close. The central block of houses located between Pitcairn Close and Hobart Close and the culs de sac serving these have been retained. Four further flats and a block of five garages on the west side of Wilford Crescent West have also been demolished and this site is the subject of a separate planning application.
- 3.2 The application sites are located within an entirely residential area on the southern edge of the Meadows. To the south of the Hobart Close site is the Victoria Embankment and the cleared site of the Toll Bridge Inn. To the east it is bounded by Wilford Crescent West with two storey semi detached housing opposite. To the west and north there are further similar residential properties separated from the site by the retained section of Hobart Close. The Pitcairn Close site is also located to the west of Wilford Crescent West and is bounded to the northeast and south by two storey houses. To the west are three storey flats and houses which are located on Oxbow Close.

- 3.3 The sites are now completely cleared of dwellings but a large number of trees have been retained. There are also a number of public footpaths running through the site connecting both to Oxbow Close and the Victoria Embankment.

4 DETAILS OF THE PROPOSAL

- 4.1 Two planning applications seeking full planning permission have been submitted. 13/01718/PFUL3 is for the erection of 33 dwellings on the cleared site on Hobart Close and 13/01719/PFUL3 is for the erection of 37 dwellings on the cleared site on Pitcairn Close.
- 4.2 13/01718/PFUL3 Hobart Close: The proposal is for a scheme of 33 dwellings comprising a mix of 2 and 3 storey semi detached and terraced properties. These are configured in the form of perimeter blocks facing the retained Hobart Close which is to be slightly reconfigured, and a new access way on the southern edge of the site. The Hobart site is primarily to be housing for sale with four shared ownership properties.
- 4.3 The design of the houses has taken reference of the Green Street development, located further to the east in the Meadows and will be of a contemporary design. The proposed materials will reflect this and comprise a palette of brick and render.
- 4.4 The majority of the properties will have one parking space within plot and it is also proposed to create a small off street car parking area adjacent to the small area of open space to the north of Hobart Close.
- 4.5 There are a number of existing trees on the site, some of which will need to be removed as part of the redevelopment. Trees will also be retained where practicable and some replacement tree planting is proposed.
- 4.6 It is proposed to retain the existing pedestrian connections from Hobart Close to the footpaths along the northern side of the Victoria Embankment.
- 4.7 Each property will have provision for bin storage at the front of the property and also in the rear garden where a shed for bike storage etc will be provided. The need to accommodate the pedestrian access to the rear garden, together with the primarily terraced nature of the properties, has resulted in the layout incorporating rear alleyways.
- 4.8 It is proposed that all the dwellings will achieve the Code for Sustainable Homes Level 4 and 29 dwellings will achieve the AECB Silver Standard. Overall, the outcome is that by using a combination of energy efficient measures and technologies that there will be a total carbon reduction of 17%
- 4.9 13/01719/PFUL3 Pitcairn Close: The proposal is for 35 dwellings comprising a mix of 2 and 3 storey semi detached and detached properties. These will be configured in the form of perimeter blocks facing the retained Pitcairn Close and a new street to the north of this. The Pitcairn site is to be a combination of rented, shared equity and shared ownership properties.
- 4.10 The development will essentially be in the same form and character as Hobart Close as described in paras 4.2- 4.7. As proposed at Hobart Close most houses will have an in plot parking space and to make adequate provision for the dwellings

where this cannot be achieved, it is proposed to provide some lay-by parking on the street.

- 4.11 It is proposed that all the dwellings will achieve the Code for Sustainable Homes Level 4 and 7 dwellings will achieve the AECB Silver Standard. Overall, the outcome is that by using a combination of energy efficient measures and technologies that there will be a total carbon reduction of 12%. Furthermore, the majority of the houses will meet the Lifetime Homes Standard.
- 4.12 The developer has committed to work with the Council's Employment and Skills team to deliver local employment and training opportunities during the construction of the development. These would be secured as part of the terms of the land ownership agreement with the City Council.

5 CONSULTATIONS AND OBSERVATIONS OF OTHER OFFICERS

Adjoining occupiers consulted:

The proposals have been advertised on site and in the press and nearby occupiers notified. The applicant's also held two public consultation events for existing nearby residents prior to the planning applications being submitted.

The following properties have been notified of the planning applications:

13/01718/PFUL3 Hobart Close:

270 - 276 (evens) and 318- 324 (evens) Bathley Street
107 -145 Wilford Crescent West
2- 12 (evens) and 14 - 24 (evens) Hobart Close
29 and 31 Pitcairn Close
2 -16 (evens) Sandays Close

13/01719/PFUL3 Pitcairn Close:

87 – 121 (odds), 98, 100,102 Wilford Crescent West,
1-23 Pitcairn Close
1- 37 (odds) Oxbow Close

In response one email has been received from a resident of Wilford Crescent West raising the following points on the Hobart Close application: Concerned about disruption during the construction period, the impact upon car parking for existing residents, a loss of light and the density of the development. Would prefer the development not to happen and for the land to remain as open space.

Additional consultation letters sent to:

Noise and Pollution Control: No objection. Require conditions to address potential contamination.

Highways and Drainage: No objection. Recommend conditions requiring the submission of details of surface water drainage, a construction management plan and the construction of the on site parking, turning and servicing areas. Refer to the need for stopping up public rights of way and areas of public highway.

Housing Strategy: No objection to the proposed redevelopment of Pitcairn Close or Hobart Close. Supports the proposed housing type and tenure mix.

Severn Trent Water: No objection subject to the inclusion of a condition requiring the submission of details of the disposal of surface water and foul sewage.

Comment: Foul sewage disposal is a matter addressed under the Building Regulations.

Force Architectural Liaison Officer: Unable to support the applications. Has a major concern about the alleyways which serve a number of houses making potential unlawful access to the rear of these homes very easy. The Meadows has a history of high crime, especially property crime, and in many areas the high levels of permeability have allowed much of this criminal activity to occur within areas that have little or no natural surveillance, such as rear access alleyways. Advises that in the past numerous solutions have been explored including gating, footpath closures and redevelopment but they have still had issues with burglaries where natural surveillance is limited. Considers that gating is not the solution as the layout indicates a number of homes will use these alleyways which will therefore be less secure. Also concerned about the absence of visibility of the alleyways which would conceal potential criminals. Recognises that residents will need access to the rear garden area, but alleyways of this size and length are not recommended.

Arboricultural Officer: Requires an arboricultural method statement to be submitted which should include a full schedule of pruning to the retained trees. Proposing to serve a TPO as soon as planning permission granted to ensure the retained trees are adequately protected

OPUN Design Review: The applications were considered by the OPUN Design Review Service at the request of the developer. In summary the Panel appreciated the thorough site analysis which was considered to demonstrate a good understanding of the site context, resulting in a considered and robust layout with strong perimeter blocks and frontages. The approach to sustainability combining both Code for Sustainable Homes Level 4 and Passivhaus silver standard was also welcomed.

Main issues identified:

- Exploring alternatives to the proposed passageways within the development to ensure that they are safe, overlooked and attractive places that are well integrated into the development;
- Strengthening of the architecture of the development, with greater attention to detail and perhaps the use of colour and material to provide subtle variation between the sites to promote identity;
- Reconsidering the proposed timber fence boundary treatment to the sites to provide a more robust, attractive solution that ensures good natural surveillance;
- Ensuring that the development works with the existing mature trees on the site;
- Create stronger connection between the Pitcairn site and existing properties to the west by strengthening the existing pedestrian route to the site and introducing a stronger architectural corner/gateway element;
- Pitcairn Rationalising the properties to allow adequate space for the existing trees and reconsidering the positioning of the “tower” block.
- Hobart Consideration should be given to future proofing links to, and the incorporation of, the open space on Hobart Close; strengthening the corner

of the site adjacent the pumping station and the “tower” block to Bathley Street .

6 RELEVANT POLICIES AND GUIDANCE

National Planning Policy Framework:

- 6.1 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies. While planning applications still need to be determined in accordance with the development plan, which are set out in the report, the NPPF is a material consideration in the assessment of this application.
- 6.2 The NPPF advises that there is a presumption in favour of sustainable development and that development which is sustainable should be approved. Paragraph 17 of the NPPF lists the core planning principles that should underpin decision taking on planning applications. Of particular relevance to these applications is the need to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, to encourage the effective use of land by reusing land that has been previously developed (brownfield land), and by supporting the transition to a low carbon future.
- 6.3 Paragraph 60 of the NPPF advises that local planning authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative. Paragraph 63 adds that great weight should be attributed to outstanding or innovative designs.
- 6.4 Paragraph 96 states that new development should be expected to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Nottingham Local Plan (November 2005):

ST1 - Sustainable Communities – complies.

H2 – Density – complies.

H3 - Appropriate Housing Types – complies.

H5 - Affordable Housing – complies

R2 - Open Space in New Development – does not comply.

BE1 - Design in new development – complies

BE2 - Layout and Community Safety –partly complies.

BE3 - Building Design -complies.

BE4 - Sustainable Design – complies.

BE5 - Landscape Design – complies.

NE5 – Trees – complies

NE12 - Derelict and Contaminated Land – complies.

NE14 - Renewable Energy – complies.

T3 - Car, Cycle and Servicing Parking – complies.

T12- Public rights of way - complies.

7. APPRAISAL OF PROPOSED DEVELOPMENT

Main Issues

- (i) Principle of the development and the appropriateness of mix of house types and tenure;
- (ii) Layout and design considerations;
- (iii) Highway considerations;
- (iv) Impact on residential amenity;
- (v) Section 106 matters.

(i) Principle of the development and the appropriateness of mix of house types and tenure (Policies ST1, BE4, H2, H3 and H5)

- 7.1 The applications propose replacement dwellings on cleared sites within an existing residential area and are therefore acceptable in principle.
- 7.2 The NPPF supports the delivery of a wide choice of high quality homes, the widening of opportunities for home ownership and the creation of sustainable, inclusive mixed communities. It states that local planning authorities should plan for a mix of housing and identify the size, type and tenure and range of housing to meet local needs, including affordable housing if required. It is therefore considered that these two housing schemes, which have been developed with the support of Housing Strategy and would provide 39 affordable dwellings, would contribute towards meeting local housing needs and would be in keeping with the NPPF and the City Council's strategic objectives to create sustainable balanced communities. Additionally, the development sites are located in a sustainable location, close to local facilities and a range of transport options, and the houses are to be designed with the intention of meeting the Code for Sustainable Homes Level 4. The proposal therefore accords with Policies ST1, BE4, H2, H3 and H5 of the Local Plan.

(ii) Layout and design considerations (Policies BE1, BE2, BE3, BE5, NE5 and T3)

- 7.3 The proposed layout for the redeveloped sites shows a 'perimeter block' form of development with continuous street frontages to provide a clear definition between public and private space throughout. The schemes have been designed to provide active frontages and surveillance of the streets and also to create secure private rear gardens. The dwellings are two and three storeys in height and comprise a mixture of short terraces and semi detached "tower" units at the street corners, which would help to create a distinctive character and attractive streetscene.
- 7.4 Due to the number of terraced properties within both the Pitcairn and Hobart schemes it has proved necessary to include alleyways to provide access to the rear gardens. This aspect of the layout has generated adverse comment from both the

Force Architectural Liaison Officer and the OPUN Design Review Panel who have both identified concerns relating to the absence of natural surveillance and potential for criminal activity. This has been the subject of detailed design consideration and various options have been considered, including some of the dwellings not having access to the rear garden other than through the house. However, in order for the development to meet the Code for Sustainable Homes Level 4 there is a requirement that bike and bin storage is easily accessible and the reality is that this would need to be by means of the rear alleyways. The length of the alleyways has now been reduced as far as practically possible and it is proposed to erect a lockable gate at each of the entrance points. It is also proposed that the boundary fences enclosing the access paths would be hit and miss timber fences, thereby providing better surveillance from the gardens and the houses. It is acknowledged that the extent of alleyways within the two schemes is less than ideal but no practical alternative has been found. On balance, and having regard to the improved measures referred to above, this element of the scheme is accepted as being necessary.

- 7.5 The design of the scheme is contemporary and the elevational treatment of the dwellings, together with the palette of materials, would create a clear and straightforward architectural language. Full details of the materials will be required by condition.
- 7.6 Overall the layout and design of the buildings considered to be appropriate and would therefore accord with Policies BE1, BE2, BE3, BE5 and T3 of the Local Plan.

(iii) Highway considerations (Policies BE1, BE2 and T3)

- 7.7 The schemes have been designed to create 'perimeter' block layouts, with pedestrian and vehicular access being from the front of each new property. All materials used on the highway are proposed to comply with the City Council's "Streetscape Design Manual for Neighbourhoods". Car parking would be provided either on plot at the front or side of the dwellings or on street and the overall level of provision is considered to be acceptable given the proximity of the development to bus services and NET Phase 2. It is therefore considered that the development satisfies the requirements of Policies BE1, BE2 and T3 of the Local Plan.

(iv) Impact on residential amenity (Policy BE3)

- 7.8 The comments of the resident of Wilford Crescent West are noted. However, the proposed layout has been designed to ensure that there would be no adverse impact upon the amenities of nearby existing residents or future occupants of the new development, in terms of light, outlook and privacy. The development would therefore comply with Policy BE3 of the Local Plan.

(v) Section 106 matters (Policies H5 and R2)

- 7.9 The overall scheme delivers 39 affordable dwellings out of a total of 70 and therefore more than satisfies the requirement for a minimum of 20% affordable housing to be provided on the site in accordance with Policy H5. The mechanism for securing this will be by way of the land ownership agreement with the City Council
- 7.10 A financial appraisal has been submitted alongside the two planning applications. This demonstrates that the overall development is unable to meet the other S106 requirement which would usually be expected for a development of this nature,

namely a financial contribution towards off site open space. The findings of the appraisal have been assessed and are considered to be justified. Having regard to the issue of viability and the overall benefits of these developments it is considered that a relaxation of the policy requirements is considered to be justified in this instance.

Other matters (Policies T12 and NE12)

- 7.11 The applications identifies possible contamination of the sites due to previous uses and details of testing and remediation can be secured by condition. The proposals are therefore in accordance with Policy NE12.
- 7.12 The proposals will affect a number of existing public rights of way which cross the site and the process for stopping up under the Town and Country Planning Act 1990 to enable the development to be carried out has already commenced. Approval for the stopping up was the subject of a separate authorisation process approved by Area 8 Panel (Bridge, Clifton North and South) August 2013. As well as stopping up the footpaths, the existing footpath linking the west end of Pitcairn Close and running west to Queens Walk and north to Robin Hood Way will be retained. The existing footpath running to the south of the development linking Bathley Street to Victoria Embankment will be retained and improved.
- 7.13 It is considered that the proposed layout will result in adequate provision of public rights of way both through and around the new development which accords with Policy T12.

8. SUSTAINABILITY / BIODIVERSITY (Policies BE4, NE14 and NE5)

- 8.1 The developments have been designed to meet the requirements of Code for Sustainable Homes Level 4 and 36 out of the 70 dwellings will be AECB Silver standard.
- 8.2 The schemes propose the retention of the main trees of high amenity value and the planting of further trees is proposed as part of the layouts. A Tree Preservation Order is to be made to ensure the retained trees are adequately protected.
- 8.3 It is considered that the development satisfies the requirements of Policies BE4, NE5 and NE14 of the Local Plan.

9 FINANCIAL IMPLICATIONS

None.

10 LEGAL IMPLICATIONS

The issues raised in this report are primarily ones of planning judgement. Should legal considerations arise these will be addressed at the meeting.

11 EQUALITY AND DIVERSITY IMPLICATIONS

None

12 RISK MANAGEMENT ISSUES

None.

13 STRATEGIC PRIORITIES

Neighbourhood Nottingham –Redeveloping of a vacant brownfield site to deliver a high quality, sustainability-led, family housing scheme.

14 CRIME AND DISORDER ACT IMPLICATIONS

The scheme will provide improved surveillance and community safety in the area.

15 VALUE FOR MONEY

None.

16 List of background papers other than published works or those disclosing confidential or exempt information

1. Application No: 13/01718/PFUL3 - link to online case file:

<http://plan4.nottinghamcity.gov.uk/WAM/pas/findCaseFile.do?appNumber=13/01718/PFUL3>

2. Application No: 13/01719/PFUL3 - link to online case file:

<http://plan4.nottinghamcity.gov.uk/WAM/pas/findCaseFile.do?appNumber=13/01719/PFUL3>

Emails from Housing Strategy dated 30.07.2013

Letters from Severn Trent Water dated 30.07.2013

Emails from Force Architectural Liaison Officer dated 01.08.2103

Observations of Noise and Pollution Control dated 01.08.2013

Emails from Tree Officer dated 31.07.2013

Email from resident of 137 Wilford Crescent West dated 31.07.2013
(13/01718/PFUL3)

Emails from Highways dated 12.08.2013

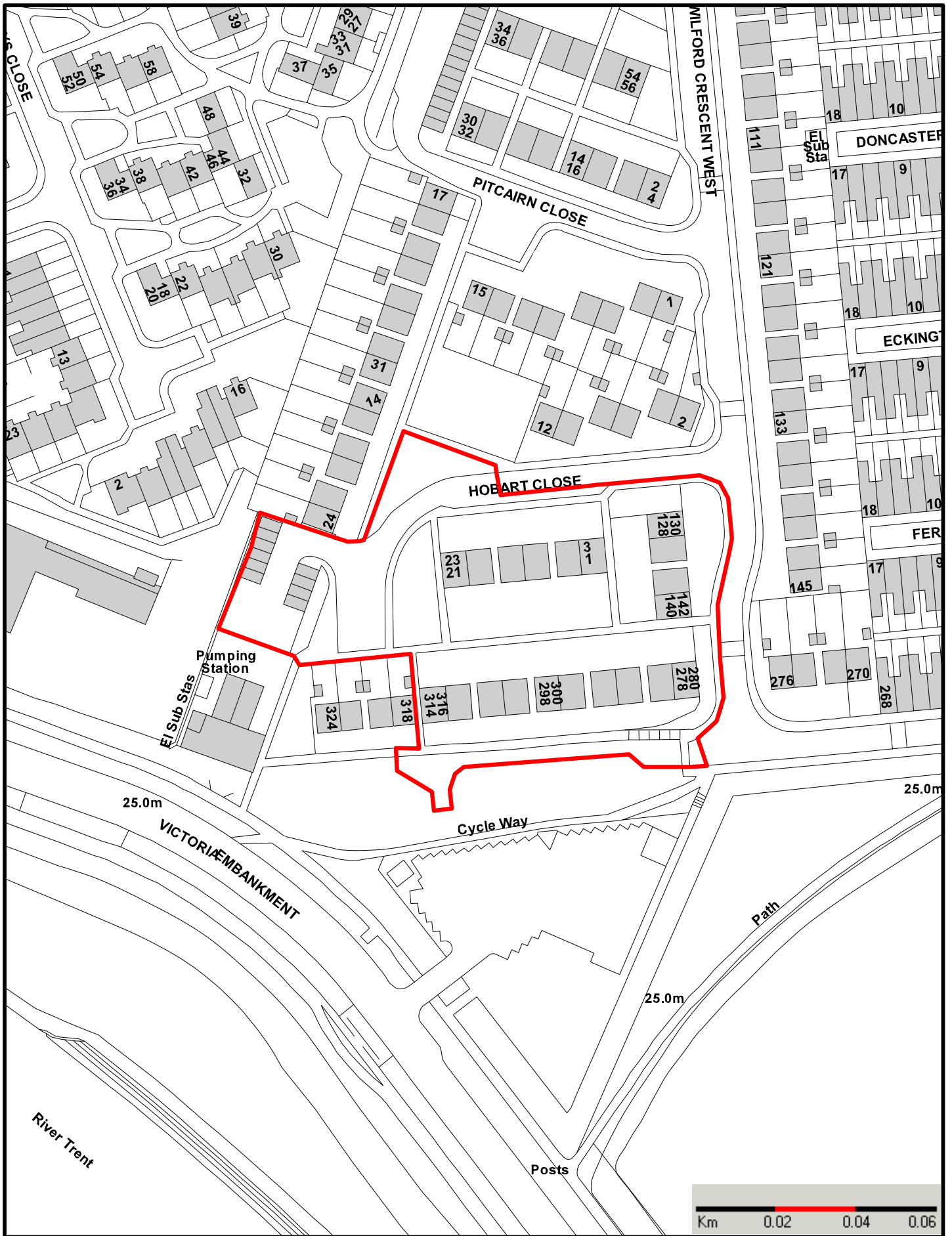
17 Published documents referred to in compiling this report

Nottingham Local Plan (November 2005)

Contact Officer:

Mrs J.M. Keble, Case Officer, Development Management.

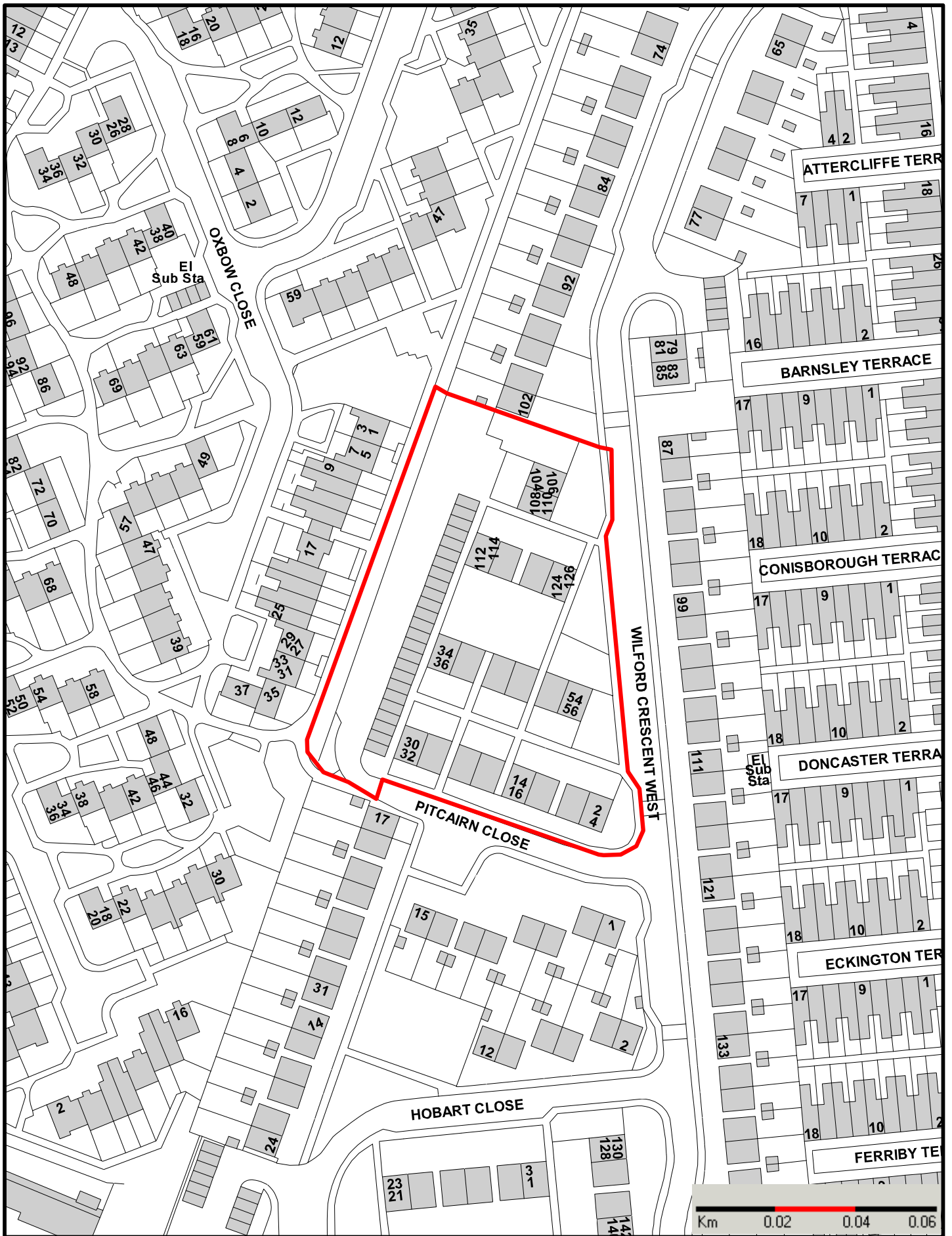
Email: janet.keble@nottinghamcity.gov.uk. Telephone: 0115 8764056



© Crown Copyright and database right 2013. Ordnance Survey License number 100019317



Nottingham
City Council



© Crown Copyright and database right 2013. Ordnance Survey License number 100019317



Nottingham
City Council

My Ref: 13/01718/PFUL3 (PP-02762319)
Your Ref:
Contact: Mrs J.M. Keble
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

Marsh:Grochowski
FAO: Mr Mike Askey
16 Commerce Square
Nottingham
NG1 1HS

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 13/01718/PFUL3 (PP-02762319)
Application by: William Davis Limited
Location: Site At Hobart Close, The Meadows, Nottingham
Proposal: 33 dwellings.

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre-commencement conditions

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

2. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall provide for:
 - (i) Vehicular access to the site;
 - (ii) The parking of vehicles of site operatives and visitors;
 - (iii) Loading and unloading of plant and materials;
 - (iv) Storage of plant and materials used in constructing the development;
 - (v) Wheel washing facilities;
 - (vi) Measures to control the emission of dust and dirt during construction.

The Construction Method Statement shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and the amenity of surrounding occupants in accordance with Policies BE3 and T3 of the Local Plan

3. The development shall not be commenced until a detailed scheme to deal with contamination of the site, which shall include an investigation and assessment to identify the nature and extent of contamination and the measures to be taken to avoid any risk to health and safety when the site is developed has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) details of how the site investigation and the analysis of chemical contaminants are proposed to be carried out, prior to implementation
 - ii) details of the results of the site investigation including the results of all sampling/site testing, and an assessment of the conditions found
 - iii) proposals (including timescales for implementation) for dealing with any conditions or contamination which might be present on the site, and details of the proof testing regimes to be used to ensure that the remedial measures are effective;
 - iv) a contingency plan for dealing with any contamination, not previously identified in the site investigation, encountered during the development.

Reason: In the interests of the health and safety of the occupiers of the development and to ensure that the principal aquifer underlying the site is protected in accordance with Policy NE12 of the Nottingham Local Plan.

4. The development shall not be commenced until a detailed scheme for dealing with the gaseous emissions on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- i) details of an investigation and assessment of the gaseous emissions on the site;
 - ii) proposals for ensuring the safe removal of gas;
 - iii) proposals for preventing the lateral migration of gas; and
 - iv) any other remedial measures shown in the assessment to be necessary.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Policy NE12 of the Nottingham Local Plan.

5. The development hereby permitted shall not be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. The Arboricultural Method Statement shall specify measures to be put in place for the duration of construction operations to protect the existing trees that are shown to be retained on the approved plans.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

6. The tree protection measures detailed in the approved Arboricultural Method Statement shall be put in place prior to the commencement of the development hereby permitted, and retained for the duration of construction operations. The development shall be carried out in accordance with any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

7. The development shall not be commenced until drainage plans for the disposal of surface water, to include the use of sustainable urban drainage measures, have been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy NE10 of the Local Plan.

8. The development shall not be commenced until details of all external materials have been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy BE3 of the Local Plan.

9. The development shall not be commenced until details of areas to be hard landscaped, including the proposed parking areas and access road which should be of permeable materials, have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.

10. The development shall not be commenced until details of enclosure for the site boundaries and individual plots have been submitted to and approved in writing with the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.

11. The development shall not be commenced until a scheme to achieve a minimum of 10% reduction in carbon emissions over and above the Building Regulations 2010 parts L1A and L1B, has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that these measures are incorporated into the approved development and, therefore, in the interests of the sustainable development of the site in accordance with Policy BE4 of the Local Plan.

Pre-occupation conditions

(The conditions in this section must be complied with before the development is occupied)

12. No part of the development shall be occupied until remedial or precautionary measures required to deal with ground contamination have been completed, and the approved regime of proof testing has been implemented to demonstrate the effectiveness of the remediation work, and the results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site can be developed without health or safety risks to the environment, the occupiers of the development, and/or adjoining occupiers in accordance with Policy NE9 of the Local Plan.

13. No building(s), drainage or sewerage facilities nor any areas surfaced with materials impermeable to gas shall be used unless the approved remedial, preventive or precautionary measures for removing the gaseous emissions on the site have been implemented, and the system for dealing with the gaseous emissions shall be monitored and maintained in an efficient condition.

Reason: To ensure that the site can be developed without health or safety risks to the environment, the occupiers of the development, and/or adjoining occupiers in accordance with Policy NE9 of the Local Plan.

14. The development shall not be occupied until details of a landscaping scheme with proposals for management and maintenance, including the type, height, species and location of the proposed trees and shrubs, have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the development and any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE5 of the Local Plan.

15. No dwelling shall be occupied until the site boundary and the boundaries of individual plots have been enclosed in accordance with the approved details.

Reason: In the interests of the occupiers of nearby property in accordance with Policy BE3 of the Local Plan.

16. No dwelling shall be occupied until bin storage has been provided in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE3 of the Local Plan.

17. No dwelling shall be occupied until the measures approved in relation to Condition 10 have been installed and, where relevant, are able to provide renewable/low carbon energy to serve the development.

Reason: In the interests of providing a sustainable development with a proportion of its energy supplied by way of a renewable source in accordance with Policies BE4 and NE14 of the Local

Plan.

Regulatory/ongoing conditions

(Conditions relating to the subsequent use of the development and other regulatory matters)

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended or any re-enactment thereof, the dwellings shall not be used other than for purposes defined in Class C3 of The Town and Country Planning (Use Classes) Order 1987, as amended or any re-enactment thereof.

Reason: In the interests of developing sustainable communities in accordance with Policy ST1 of the Local Plan.

19. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiry of 3 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (2010) Recommendations for tree work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority. If any retained tree is topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority, then remedial pruning or replacement planting as appropriate shall be undertaken as specified in writing by the local planning authority

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

Standard condition- scope of permission

- S1. The development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 19 July 2013.

Reason: To determine the scope of this permission.

Informatives

1. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.

2. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the officer's delegated report, enclosed herewith and forming part of this decision.

3. If your building/construction works will have any effect on the footway, road or paved area next to your site you must contact the Council's Highways Team before you start. You can contact the Highways Hotline on 0115 915 2161 (Answerphone outside office hours) or Fax on 0115 915 2103 (anytime).

4. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is strongly recommended to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial preventive or precautionary measures. The developer will be expected to provide at his own expense such evidence as is required to indicate clearly that the problem has been addressed satisfactorily.

5. The Arboricultural Method Statement to be submitted shall be prepared in accordance with principles set out in British Standard 5837:2012- 'Trees in Relation to Design, Demolition and Construction - Recommendations'. It may include the following elements as appropriate:

- Protective fencing for retained trees
- Schedule of tree work
- Method of working within identified root protection areas
- Installation of service and utility runs
- Arboricultural monitoring and record keeping
- Pre-commencement site meeting
- Method of working for landscape operations

6. The City Council is responsible for the allocation of street names and property numbers/names. If your proposal will create a new property, through either new build or conversion, you should contact the Address Management section at an early stage of the development, if they have not already made contact. The section details are: Nottingham City Council, Loxley House, Station Street, Nottingham, NG2 3NG; e-mail address.management@nottinghamcity.gov.uk; telephone (0115) 8765012.

They will agree an official address with you and ensure that all relevant parties are notified of it, including the emergency services and Royal Mail. This will ensure the allocation of an official and unique address for each property, avoiding any problems with location or misidentification that can arise through the use of unauthorised addresses.

7. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is strongly recommended to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial preventive or precautionary measures. The developer will be expected to provide at his own expense such evidence as is required to indicate clearly that the problem has been addressed satisfactorily.

8. Noise Control: hours of work and equipment during demolition/construction
To assist with project planning, reduce the likelihood of justified complaint and avoid costly restriction and development delays, 'acceptable hours' are detailed below:-
Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800)
Saturday: 0830-1700 (noisy operations restricted to 0830-1700)
Sunday: at no time
Bank Holidays: at no time
Work outside these hours may be acceptable but must be agreed with Nottingham City Council's Pollution Control Section (Tel: 0115 9156410; Fax 0115 9156020).
Equipment
All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression/silencers.
Dust/Grit and other fugitive emissions

Construction and demolition work invariably generates grit and dust, which can be carried offsite and cause a Statutory Nuisance, and have a detrimental effect on local air quality.

Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate methods include:-

Flexible plastic sheeting

Water sprays/damping down of spoil and demolition waste

Wheel washing

Periodic road cleaning

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 13/01718/PFUL3 (PP-02762319)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



Safer, cleaner, ambitious
Nottingham
A city we're all proud of

DRAFT ONLY
Not for issue

My Ref: 13/01719/PFUL3 (PP-02762694)
Your Ref:
Contact: Mrs J.M. Keble
Email: development.management@nottinghamcity.gov.uk



**Nottingham
City Council**

Development Management
City Planning
Loxley House
Station Street
Nottingham
NG2 3NG

Tel: 0115 8764447
www.nottinghamcity.gov.uk

Marsh:Grochowski
FAO: Mr Mike Askey
16 Commerce Square
Nottingham
NG1 1HS

Date of decision:

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR PLANNING PERMISSION**

Application No: 13/01719/PFUL3 (PP-02762694)
Application by: William Davis Limited
Location: Site At Pitcairn Close, The Meadows, Nottingham
Proposal: 35 dwellings.

Nottingham City Council as Local Planning Authority hereby **GRANTS PLANNING PERMISSION** for the development described in the above application subject to the following conditions:-

Time limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Pre-commencement conditions

(The conditions in this section require further matters to be submitted to the local planning authority for approval before starting work)

2. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall provide for:
 - (i) Vehicular access to the site;
 - (ii) The parking of vehicles of site operatives and visitors;
 - (iii) Loading and unloading of plant and materials;
 - (iv) Storage of plant and materials used in constructing the development;
 - (v) Wheel washing facilities;
 - (vi) Measures to control the emission of dust and dirt during construction.

The Construction Method Statement shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and the amenity of surrounding occupants in accordance with Policies BE3 and T3 of the Local Plan

3. The development shall not be commenced until a detailed scheme to deal with contamination of the site, which shall include an investigation and assessment to identify the nature and extent of contamination and the measures to be taken to avoid any risk to health and safety when the site is developed has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) details of how the site investigation and the analysis of chemical contaminants are proposed to be carried out, prior to implementation
 - ii) details of the results of the site investigation including the results of all sampling/site testing, and an assessment of the conditions found
 - iii) proposals (including timescales for implementation) for dealing with any conditions or contamination which might be present on the site, and details of the proof testing regimes to be used to ensure that the remedial measures are effective;
 - iv) a contingency plan for dealing with any contamination, not previously identified in the site investigation, encountered during the development.

Reason: In the interests of the health and safety of the occupiers of the development and to ensure that the principal aquifer underlying the site is protected in accordance with Policy NE12 of the Nottingham Local Plan.

4. The development shall not be commenced until a detailed scheme for dealing with the gaseous emissions on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:-
- i) details of an investigation and assessment of the gaseous emissions on the site;
 - ii) proposals for ensuring the safe removal of gas;
 - iii) proposals for preventing the lateral migration of gas; and
 - iv) any other remedial measures shown in the assessment to be necessary.

Reason: In the interests of the health and safety of the occupiers of the development in accordance with Policy NE12 of the Nottingham Local Plan.

5. The development hereby permitted shall not be commenced until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. The Arboricultural Method Statement shall specify measures to be put in place for the duration of construction operations to protect the existing trees that are shown to be retained on the approved plans.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

6. The tree protection measures detailed in the approved Arboricultural Method Statement shall be put in place prior to the commencement of the development hereby permitted, and retained for the duration of construction operations. The development shall be carried out in accordance with any ongoing requirements set out in the approved Arboricultural Method Statement.

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

7. The development shall not be commenced until drainage plans for the disposal of surface water, to include the use of sustainable urban drainage measures, have been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy NE10 of the Local Plan.

8. The development shall not be commenced until details of all external materials have been submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved details.

Reason: To ensure a high quality development in accordance with Policy BE3 of the Local Plan.

9. The development shall not be commenced until details of areas to be hard landscaped, including the proposed parking areas and access road which should be of permeable materials, have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.

10. The development shall not be commenced until details of enclosure for the site boundaries and individual plots have been submitted to and approved in writing with the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development will be satisfactory in accordance with Policy BE3 of the Local Plan.

11. The development shall not be commenced until a scheme to achieve a minimum of 10% reduction in carbon emissions over and above the Building Regulations 2010 parts L1A and L1B, has been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that these measures are incorporated into the approved development and, therefore, in the interests of the sustainable development of the site in accordance with Policy BE4 of the Local Plan.

Pre-occupation conditions

(The conditions in this section must be complied with before the development is occupied)

12. No part of the development shall be occupied until remedial or precautionary measures required to deal with ground contamination have been completed, and the approved regime of proof testing has been implemented to demonstrate the effectiveness of the remediation work, and the results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site can be developed without health or safety risks to the environment, the occupiers of the development, and/or adjoining occupiers in accordance with Policy NE9 of the Local Plan.

13. No building(s), drainage or sewerage facilities nor any areas surfaced with materials impermeable to gas shall be used unless the approved remedial, preventive or precautionary measures for removing the gaseous emissions on the site have been implemented, and the system for dealing with the gaseous emissions shall be monitored and maintained in an efficient condition.

Reason: To ensure that the site can be developed without health or safety risks to the environment, the occupiers of the development, and/or adjoining occupiers in accordance with Policy NE9 of the Local Plan.

14. The development shall not be occupied until details of a landscaping scheme with proposals for management and maintenance, including the type, height, species and location of the proposed trees and shrubs, have been submitted to and approved in writing by the Local Planning Authority.

The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the development and any trees or plants which die, are removed or become seriously damaged or diseased within a period of five years shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE5 of the Local Plan.

15. No dwelling shall be occupied until the site boundary and the boundaries of individual plots have been enclosed in accordance with the approved details.

Reason: In the interests of the occupiers of nearby property in accordance with Policy BE3 of the Local Plan.

16. No dwelling shall be occupied until bin storage has been provided in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory in accordance with Policy BE3 of the Local Plan.

17. No dwelling shall be occupied until the measures approved in relation to Condition 10 have been installed and, where relevant, are able to provide renewable/low carbon energy to serve the development.

Reason: In the interests of providing a sustainable development with a proportion of its energy supplied by way of a renewable source in accordance with Policies BE4 and NE14 of the Local

Plan.

Regulatory/ongoing conditions

(Conditions relating to the subsequent use of the development and other regulatory matters)

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended or any re-enactment thereof, the dwellings shall not be used other than for purposes defined in Class C3 of The Town and Country Planning (Use Classes) Order 1987, as amended or any re-enactment thereof.

Reason: In the interests of developing sustainable communities in accordance with Policy ST1 of the Local Plan.

19. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiry of 3 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (2010) Recommendations for tree work.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority. If any retained tree is topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority, then remedial pruning or replacement planting as appropriate shall be undertaken as specified in writing by the local planning authority

Reason: To ensure that existing trees are safeguarded during construction in accordance with Policy NE5 of the Local Plan.

Standard condition- scope of permission

- S1. The development shall be carried out in complete accordance with the details described in the forms, drawings and other documents comprising the application as validated by the council on 19 July 2013.

Reason: To determine the scope of this permission.

Informatives

1. The reason for this decision, and a summary of the policies the local planning authority has had regard to are set out in the committee report, enclosed herewith and forming part of this decision.

2. This permission is valid only for the purposes of Part III of the Town & Country Planning Act 1990. It does not remove the need to obtain any other consents that may be necessary, nor does it imply that such other consents will necessarily be forthcoming. It does not override any restrictions contained in the deeds to the property or the rights of neighbours. You are advised to check what other restrictions there are and what other consents may be needed, for example from the landowner, statutory bodies and neighbours. This permission is not an approval under the Building Regulations.

3. If your building/construction works will have any effect on the footway, road or paved area next to your site you must contact the Council's Highways Team before you start. You can contact the Highways Hotline on 0115 915 2161 (Answerphone outside office hours) or Fax on 0115 915 2103 (anytime).

4. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is strongly recommended to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial preventive or precautionary measures. The developer will be expected to provide at his own expense such evidence as is required to indicate clearly that the problem has been addressed satisfactorily

5. The Arboricultural Method Statement to be submitted shall be prepared in accordance with principles set out in British Standard 5837:2012- 'Trees in Relation to Design, Demolition and Construction - Recommendations'. It may include the following elements as appropriate:

- Protective fencing for retained trees
- Schedule of tree work
- Method of working within identified root protection areas
- Installation of service and utility runs
- Arboricultural monitoring and record keeping
- Pre-commencement site meeting
- Method of working for landscape operations

6. The City Council is responsible for the allocation of street names and property numbers/names. If your proposal will create a new property, through either new build or conversion, you should contact the Address Management section at an early stage of the development, if they have not already made contact. The section details are: Nottingham City Council, Loxley House, Station Street, Nottingham, NG2 3NG; e-mail address.management@nottinghamcity.gov.uk; telephone (0115) 8765012.

They will agree an official address with you and ensure that all relevant parties are notified of it, including the emergency services and Royal Mail. This will ensure the allocation of an official and unique address for each property, avoiding any problems with location or misidentification that can arise through the use of unauthorised addresses.

7. The responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or the landowner. The developer is strongly recommended to institute a thorough investigation and assessment of the ground conditions, nature and degree of contamination on the site to ensure that actual or potential risks to public health and safety can be overcome by appropriate remedial preventive or precautionary measures. The developer will be expected to provide at his own expense such evidence as is required to indicate clearly that the problem has been addressed satisfactorily.

8. Noise Control: hours of work and equipment during demolition/construction
To assist with project planning, reduce the likelihood of justified complaint and avoid costly restriction and development delays, 'acceptable hours' are detailed below:-
Monday to Friday: 0730-1800 (noisy operations restricted to 0800-1800)
Saturday: 0830-1700 (noisy operations restricted to 0830-1700)
Sunday: at no time
Bank Holidays: at no time
Work outside these hours may be acceptable but must be agreed with Nottingham City Council's Pollution Control Section (Tel: 0115 9156410; Fax 0115 9156020).
Equipment

All equipment shall be properly maintained, serviced and operated in accordance with the manufacturer's recommendations and with appropriate noise suppression/silencers.

Dust/Grit and other fugitive emissions

Construction and demolition work invariably generates grit and dust, which can be carried offsite and cause a Statutory Nuisance, and have a detrimental effect on local air quality.

Contractors are expected to use appropriate methods to minimise fugitive emissions, reduce the likelihood of justified complaint and avoid costly restriction and development delays. Appropriate methods include:-

Flexible plastic sheeting

Water sprays/damping down of spoil and demolition waste

Wheel washing

Periodic road cleaning

Where a condition specified in this decision notice requires any further details to be submitted for approval, please note that an application fee will be payable at the time such details are submitted to the City Council. A form is available from the City Council for this purpose.

Your attention is drawn to the rights of appeal set out on the attached sheet.

RIGHTS OF APPEAL

Application No: 13/01719/PFUL3 (PP-02762694)

If the applicant is aggrieved by the decision of the City Council to impose conditions on the grant of permission for the proposed development, then he or she can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Any appeal must be submitted within six months of the date of this notice. You can obtain an appeal form from the Customer Support Unit, The Planning Inspectorate, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0117 372 6372. Appeal forms can also be downloaded from the Planning Inspectorate website at <http://www.planning-inspectorate.gov.uk/pins/index.htm>. Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online. You can find the service through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pes.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay.

The Secretary of State need not consider an appeal if the City Council could not for legal reasons have granted permission or approved the proposals without the conditions it imposed.

In practice, the Secretary of State does not refuse to consider appeals solely because the City Council based its decision on a direction given by him.

PURCHASE NOTICES

If either the City Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. This procedure is set out in Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain limited circumstances, a claim may be made against the City Council for compensation where permission is refused or granted subject to conditions by the Secretary of State. The circumstances in which compensation is payable are set out in Section 114 of the Town & Country Planning Act 1990.



Safer, cleaner, ambitious
Nottingham
A city we're all proud of

DRAFT ONLY
Not for issue